

July 21, 2009

**DRAFT MINUTES  
VERNON TOWN COUNCIL  
REGULAR MEETING  
TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor  
VERNON, CONNECTICUT  
TUESDAY, JULY 21, 2009, 7:30 P.M.**

**A.) PLEDGE OF ALLEGIANCE**

**Mayor Jason L. McCoy called the meeting to Order at 7:32 PM**

**ROLL CALL:**

**Present:** Council Members Daniel Anderson, Bill Campbell, Bill Fox, Marie Herbst, Nancy E Herold, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Daniel Champagne, Michael A. Winkler.

**Absent:** Council Members Mark Etre

**Entered During Meeting:** Harry D. Thomas (7:35 PM)

**Also Present:** Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary James Krupienski

**CITIZEN'S FORUM**

Walter & Marilyn Mealy, 312 South Street – Grateful thanks to the Vernon Police Department, Townspeople and specific thanks to Officer Tim Murphy during difficult times.

Harry Thomas entered the meeting at 7:35 PM

Citizen's Forum was closed at 7:39 PM

**B.) PUBLIC HEARING**

**C.) PRESENTATION**

**THE TOWN OF VERNON BICENTENNIAL COMMITTEE WILL PRESENT A  
COMMEMORATIVE PLAQUE TO ACCOMPANY THE BICENTENNIAL FLAG RECENTLY  
PRESENTED TO THE TOWN COUNCIL.**

Bicentennial Committee Members Chester Morgan, Steven Wakefield, Carl Schaefer, Bill Smith, Claire Janowski, Rudolph Rossmly, Pauline Schaefer, Brian Motola and Marie Herbst presented a Commemorative Plaque to Mayor Jason L. McCoy. Committee thanked the Administration and Finance Departments for support received.

Mayor Jason L. McCoy requested taxpayers and Public Officials contact Senators Dodd and Lieberman regarding restoration of funding for the Bolton Lakes Sewer Project. (See Additional Agenda Item – Information #9)

Council Member Herbst questioned the failure to notify Council members of lateness of the Agenda packets.

**D.) CONSENT AGENDA ITEMS**

Council member Motola, seconded by Council member Campbell moved to approve the Consent Agenda, excluding Item #7.

Council member Herold requested the Consent Agenda Items be addressed separately.

Council member Herold, seconded by Council member Winkler moved a motion to discuss Consent Items separately. Motion failed.

Council member Herbst requested to pull Consent Items #8,12,14,15 & 16 for discussion.

Council member Winkler requested to pull Consent Items # 2 & 3 for discussion.

Council member Herold requested to pull Consent Item #1 for discussion.

Original motion left open on the Table.

Council member Motola, seconded by Council member O'Shea moved a motion to approve Consent Item's #4, 5, 6, 9, 10, 11 & 13. Motion carried. Council member Herold abstained.

- C 1. Request for Tax Refunds Prior Years and Current Year.** (A copy of a memorandum from Terry Hjarne, Acting Collector of Revenue, to John D. Ward, Town Administrator dated July 10, 2009 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES SIX (6) TAX REFUNDS TOTALLING \$1,595.32 FOR PRIOR YEARS, AND ONE (1) TAX REFUND TOTALLING \$22.56 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, ACTING COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JULY 10, 2009.

Moved to New Business #2

- C 2. Request the Town Council approve budget amendments #51, and #53 – #64 for fiscal year 2008-2009, as provided by James Luddecke, Finance Officer.**

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENTS #51, and #53-#64, FOR FISCAL YEAR 2008-2009, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE JAMES LUDDECKE, FINANCE OFFICER.

Moved to New Business #3

- C 3. Request the Town Council authorize the Mayor Jason L. McCoy to sign a new lease with Tancanhoosen LLC. for the purposes of leaf composting.** (A copy of the lease and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council Members is included in the packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL AUTHORIZES THE MAYOR JASON L. MCCOY TO EXECUTE THE ONE (1) YEAR LEASE FOR THE PERIOD AUGUST 1, 2009 THROUGH JULY 31, 2010, IN THE AMOUNT OF \$32,000.00 WITH FOUR (4) ONE YEAR EXTENSION OPTIONS WITH THE PAYMENT SCHEDULE GRADUATED FROM THE INITIAL TERM BY \$1,000.00 WITH EACH EXTENSION, DEPENDENT ON SUBSEQUENT FUNDING, BETWEEN TANCANHOUSEN LLC., AND THE TOWN FOR THE LEASE OF A PARCEL OF LAND LOCATED ON RESERVOIR ROAD WHICH IS UTILIZED FOR A LEAF COMPOSTING SITE.

Moved to New Business #4

- C 4. Request the Town Council approve the Mayor's appointment of William Francis, (R), 41 Pinnacle Road, Vernon, Connecticut 06066, as an alternate member of the Zoning Board of Appeals for a term beginning on 07-22-2009 and ending on 06-30-2012.**

**PROPOSED MOTION:**

PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 2 & 6; TOWN CODE SEC 10-1; AND C.G.S. §8-5 to 8-5b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF WILLIAM FRANCIS, (R), 41 PINNACLE ROAD, VERNON, CONNECTICUT 06066, AS AN ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS FOR A TERM BEGINNING ON 07-22-2009 AND ENDING ON 06-30-2012.

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve the reappointment of William Francis as an alternate member of the Vernon Zoning Board of Appeals for a term of 7-22-2009 through 6-30-2012. Motion carried. Council member Herold abstained.

- C 5. Request the Town Council approve the Mayor's reappointment of Thomas A. Hazel, (U), 547 Bolton Road, Vernon, Connecticut 06066, as a regular member of the Permanent**

**Municipal Building Committee for a term to begin on 07-01-2009 and ending on 06-30-2012, effective as of 07-22-2009.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 7, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF THOMAS A. HAZEL, (U), 547 BOLTON ROAD, VERNON, CONNECTICUT 06066, AS A REGULAR MEMBER OF THE PERMANENT MUNICIPAL BUILDING COMMITTEE FOR A TERM TO BEGIN ON 07-01-2009 AND ENDING ON 06-30-2012, EFFECTIVE AS OF 07-22-2009.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve the reappointment of Thomas A. Hazel as a regular member of the Permanent Municipal Building Committee for a term of 7-22-2009 through 6-30-2012. Motion carried. Council member Herold abstained.

- C 6. Request the Town Council approve the Mayor's reappointment of John P. Leary, (R), 26 Hany Lane, Vernon, Connecticut 06066, as a regular member of the Permanent Municipal Building Committee for a term to begin on 07-01-2009 and ending on 06-30-2012, effective as of 07-22-2009.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 7, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF JOHN P. LEARY, (R), 26 HANY LANE, VERNON, CONNECTICUT 06066, AS A REGULAR MEMBER OF THE PERMANENT MUNICIPAL BUILDING COMMITTEE FOR A TERM TO BEGIN ON 07-01-2009 AND ENDING ON 06-30-2012, EFFECTIVE AS OF 07-22-2009.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve the reappointment of John P. Leary as a regular member of the Permanent Municipal Building Committee for a term of 7-22-2009 through 6-30-2012. Motion carried. Council member Herold abstained.

- C 7. Request the Town Council approve the appointment of Keith R. Lauzon, (U) 49 Brookview Drive, Vernon, Connecticut, as a regular member of the Planning and Zoning Commission for a term commencing 07-22-2009 and ending on 12-31-2009, filing the vacancy created by the resignation of Ralph Zahner.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 1 & 6, AND CONNECTICUT GENERAL STATUTES SEC. 8-4a &b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF KEITH R. LAUZON (U), 49 BROOKVIEW DRIVE, VERNON, CONNECTICUT, TO ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM COMMENCING ON 07-22-2009 AND ENDING ON 12-31-2009.**

**Moved to New Business #5**

- C 8. Request the Town Council approve the Mayor Jason L. McCoy's appointments for Collector of Revenue and Director of Public Works.** (A copy of a memorandum from Mayor Jason L. McCoy to the Town Council members dated July 16, 2009 is included in the Council packet for review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL PURSUANT TO CHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 3 AND 4 OF THE VERNON TOWN CHARTER APPROVE THE MAYOR'S APPOINTMENTS OF MS. TERRY HJARNE, AS COLLECTOR OF REVENUE AND MR. ROBERT KLEINHANS, DIRECTOR OF PUBLIC WORKS, FOR THE TOWN OF VERNON.**

**Moved to New Business #6**

- C 9. Request the Town Council authorize a bid waiver for the purchase of QSCEND Citizen Request Software and SMARTSEARCH Document Management Software for Town Offices.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated 07-17-2009 is included in the packet for your review.)

**PROPOSED MOTION ONE:**

THE TOWN COUNCIL, IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE VERNON TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR THE PURCHASE BY THE TOWN OF THE SOFTWARE SOLUTIONS – SMARTSEARCH AT THE COST OF \$31,418.00 AND QSCEND AT A COST OF \$22,700.00 - WITH PROFESSIONAL SERVICES FOR SETUP, TRAINING AND MAINTENANCE. AFTER INVESTIGATION, THESE SOLUTIONS FROM THEIR SUPPLIERS ARE FOUND TO MATCH THE SPECIFIC NEEDS AND COST REQUIREMENTS OF VERNON.

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve a bid waiver for purchase of Smartsearch at a cost of \$31,418.00 and QSend at a cost of \$22,700.00 with professional services for setup, training and maintenance, and determines that these solutions are found to match the specific needs and cost requirements of Vernon. Motion carried. Council member Herold abstained.

**PROPOSED MOTION TWO:**

THE TOWN COUNCIL APPROVES FUNDING IN THE AMOUNT OF \$22,700.00 FOR THE PURCHASE OF QSCEND CITIZEN REQUEST SYSTEM SOFTWARE FROM THE GENERAL FUND DATA PROCESSING ACCOUNT, 10117160-57720.

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve funding of QSend Citizen Request System Software from the General Fund Data Processing Account, 10117160-57720 a cost of \$22,700.00. Motion carried. Council member Herold abstained.

- C 10. Request the Town Council waive the bid procedure and authorize Mayor Jason L. McCoy to execute the contract for inspection services for the River Street Bridge Project.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 14, 2009 is included in the packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR ENTERING INTO A CONTRACT WITH THE CONTRACTOR FAY, SPOFFORD & THORNDIKE.

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve a bid waiver for entering into a contract with the contractor Fay, Spofford & Thorndike. Motion carried. Council member Herold abstained.

- C 11. Request the Town Council authorize both a Public Hearing and Special Town Meeting for August 18, 2009 regarding an Additional Appropriation for Education in an amount not to exceed \$932,644.00 to the fiscal year 2008-2009 Education Budget, Account 10990330-58900 to pay for excess costs related to Special Education.** (A copy of said legal notice and resolution are in the packet for Town Council review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING AND SPECIAL TOWN MEETING FOR AUGUST 18, 2009 AT 7:35 PM ON THE THIRD FLOOR, TOWN COUNCIL CHAMBERS IN THE TOWN HALL MEMORIAL BUILDING, 14 PARK PLACE, VERNON, CONNECTICUT TO HEAR COMMENT AND TAKE THE NECESSARY ACTION RELATIVE TO "A RESOLUTION REGARDING AN ADDITIONAL APPROPRIATION FOR EDUCATION IN THE AMOUNT OF \$932,644.00."

Council Member Motola, seconded by Council Member O'Shea moved a motion to schedule a Public Hearing and Special Town Meeting for August 18, 2009 at 7:25 PM on the Third Floor, Council Chambers in the Town Hall, Memorial Building, 14 Park Place, Vernon, Connecticut to hear comment and take the necessary action relative to "A Resolution regarding and Additional Appropriation for Education in the Amount of \$932,644.00". Motion carried. Council member Herold abstained.

- C 12. Request the Town Council authorize the re-designation of available funds in the Reserve for Capital and Non-Recurring Expenditures Account, transferring \$250,000.00 from the Phoenix Street Bridge Replacement to the Main Street Bridge Replacement Project.** (A

copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator dated July 15, 2009 is included in the packet for your review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$250,000.00 FROM THE PHOENIX STREET BRIDGE REPLACEMENT TO THE MAIN STREET BRIDGE REPLACEMENT.**

**Moved to New Business #7**

- C 13. Request the Town Council authorizes the Vernon Local Historic Properties Commission to charge a fifty (\$50.00) application fee.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council members dated July 16, 2009 is included in the packet.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE VERNON LOCAL HISTORIC PROPERTIES COMMISSION TO CHARGE A FIFTY DOLLAR (\$50.00) APPLICATION FEE, ALL CHECKS TO BE MADE PAYABLE TO THE TOWN OF VERNON, COLLECTOR OF REVENUE.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to authorize the Vernon Local Historic properties Commission to charge a Fifty dollar (\$50.00) application fee, all checks to be made payable to the Town of Vernon, Collector of Revenue. Motion carried. Council member Herold abstained.

- C 14. Request the Town Council authorize the utilization of the CCM Reverse Auction Program for a one year period.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 15, 2009 is included in the packet.)

**PROPOSED RESOLUTION:**

**THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE TRADITIONAL SEALED BID REQUIREMENTS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT AND SERVICES AND AUTHORIZES THE USE OF A SEALED BID REVERSE AUCTION PROGRAM ADMINISTERED BY THE CONNECTICUT CONFERENCE OF MUNICIPALITIES, LLC, FOR THE INITIAL DURATION OF TWELVE (12) MONTHS, FROM JULY 22, 2009 TO JULY 21, 2010; AND (2) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY AGREEMENT (S) TO THAT EFFECT.**

**Moved to New Business #8**

- C 15. Request the Town Council authorize the use of CRRA funding for a portion of the Optical Fiber Structure and authorize the Mayor to apply for a grant for same.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 20, 2009 is included for your review.)

**PROPOSED MOTION ONE:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$200,000 FROM THE CRRA SETTLEMENT PROCEEDS TO A DESIGNATION FOR OPTICAL FIBER INFRASTRUCTURE.**

**Moved to New Business #8**

**PROPOSED MOTION TWO:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR A BTOP GRANT ON BEHALF OF VERNON INDIVIDUALLY OR JOINTLY WITH PARTICIPATING NEIGHBORING MUNICIPALITIES PURSUANT TO THE AMERICAN REINVESTMENT AND RECOVERY ACT UTILIZING A MATCH OF \$200,000 FROM VERNON.**

**Moved to New Business #8**

**PROPOSED MOTION THREE:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AN INTRA-TOWN AGREEMENT TO ESTABLISH AND SHARE FIBER LINKAGES WITH OTHER MUNICIPALITIES.**

**Moved to New Business #8**

- C 16. Request the Town Council redesignate Capital and Non-recurring funds for the prepayment of leases.** (A copy of a memorandum from James M. Luddecke, Finance Officer to John D. Ward, Town Administrator dated July 15, 2009 and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 19, 2009 are included in your packet.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$510,000.00 FROM THE INTERMODAL TRANSPORTATION CENTER LOCAL MATCH DESIGNATION; AND \$189,425.00 FROM THE 55 WEST MAIN STREET TOP FLOOR RENOVATION DESIGNATION AND \$1,872.95 FROM AVAILABLE FUNDS TO A DESIGNATION OF \$701,297.95 FOR THE PREPAYMENT OF LEASES.**

**Moved to New Business #9**

**E.) IDENTIFICATION OF ADDITIONAL AGENDA ITEMS**

1. Information #9 - Funding issues related to the Bolton Lakes Sewer Project.

**F.) PENDING BUSINESS**

**None**

**G.) NEW BUSINESS**

1. **Request the Town Council waive the Bid Process for the purposes of hiring the consulting firm of Planimetrics of Avon.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council regarding same is included for your review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE SEALED BID PROCEDURE FOR ENTERING INTO A CONTRACT WITH THE FIRM PLANIMETERICS OF AVON, CT, AND AUTHORIZES PLANNING & ZONING COMMISSION CHAIR LESTER FINKLE AND/OR THE TOWN ADMINISTRATOR TO ENTER INTO NEGOTIATIONS FOR A ONE-YEAR CONTRACT FOR A SUM NOT TO EXCEED THE AMOUNT APPROPRIATED.**

Council Member Motola, seconded by Council Member O'Shea moved a motion in accordance with Chapter XII, Section 9, of the Town Charter, determines that it is in the best interest of the Town to waive the sealed bid procedure for entering into a contract with the Firm Planimetrics of Avon, CT, and/or authorizes Planning and Zoning Commission Chair Lester Finkle and/or the Town Administrator to enter into negotiations for a one-year contract for a sum not to exceed the amount appropriated.

Planning and Zoning Commission presented information on the selection process.

Discussion took place.

Council member Motola, seconded by Council member Schaefer moved a motion to amend the motion to read "...Lester Finkle or designee". Amendment carried unanimously.

Council member Anderson, seconded by Council member Campbell moved a motion to amend the motion to strike "...for a one-year contract." Amendment carried unanimously.

**APPROVED MOTION**

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE SEALED BID PROCEDURE FOR ENTERING INTO A CONTRACT WITH THE FIRM PLANIMETRICS OF AVON, CT, AND AUTHORIZES PLANNING & ZONING COMMISSION CHAIR LESTER FINKLE OR DESIGNEE AND/OR THE TOWN ADMINISTRATOR TO ENTER INTO NEGOTIATIONS FOR A SUM NOT TO EXCEED THE AMOUNT APPROPRIATED.

Motion carried unanimously as amended.

- C 2. Request for Tax Refunds Prior Years and Current Year.** (A copy of a memorandum from Terry Hjarne, Acting Collector of Revenue, to John D. Ward, Town Administrator dated July 10, 2009 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES SIX (6) TAX REFUNDS TOTALLING \$1,595.32 FOR PRIOR YEARS, AND ONE (1) TAX REFUND TOTALLING \$22.56 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, ACTING COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JULY 10, 2009.

Council Member Motola, seconded by Council Member Schaefer moved a motion to approve six tax refunds totaling \$1,595.32 for prior years, and one (1) tax refund totaling \$22.56 for the current year as outlined in the memorandum from Terry Hjarne, Acting Collector of Revenue to John D Ward. Town Administrator dated July 10, 2009.

Discussion took place.

Motion carried.

Council member Herold requested that the Finance Officer, James Luddecke be added to correspondence relative to Tax refunds going forward.

- C 3. Request the Town Council approve budget amendments #51, and #53 – #64 for fiscal year 2008-2009, as provided by James Luddecke, Finance Officer.**

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENTS #51, and #53-#64, FOR FISCAL YEAR 2008-2009, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE JAMES LUDDECKE, FINANCE OFFICER.

Council Member Motola, seconded by Council Member Thomas moved a motion to approve budget amendments #51 and #53-#64 for Fiscal Year 2008-2009.

Discussion took place.

Motion carried unanimously.

- C 4. Request the Town Council authorize the Mayor Jason L. McCoy to sign a new lease with Tancanhoosen LLC. for the purposes of leaf composting.** (A copy of the lease and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council Members is included in the packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL AUTHORIZES THE MAYOR JASON L. MCCOY TO EXECUTE THE ONE (1) YEAR LEASE FOR THE PERIOD AUGUST 1, 2009 THROUGH JULY 31, 2010, IN THE AMOUNT OF \$32,000.00 WITH FOUR (4) ONE YEAR EXTENSION OPTIONS WITH THE PAYMENT SCHEDULE GRADUATED FROM THE INITIAL TERM BY \$1,000.00 WITH EACH EXTENSION, DEPENDENT ON SUBSEQUENT FUNDING, BETWEEN TANCANHOUSEN LLC., AND THE TOWN FOR THE LEASE OF A PARCEL OF LAND LOCATED ON RESERVOIR ROAD WHICH IS UTILIZED FOR A LEAF COMPOSTING SITE.

Council Member Motola, seconded by Council Member Campbell moved a motion to authorize Mayor Jason L. McCoy to execute the one (1) year lease for the period August 1, 2009 through July 31,

2010, in the amount of \$32,000.00 with four (4) one year extension options with the payment schedule graduated from the initial term by \$1,000.00 with each extension, dependent on subsequent funding, between Tancanhoosen LLC., and the Town for the Lease of a parcel of land located on reservoir Road which is utilized for a Leaf Composting Site.

Discussion took place.

Motion carried unanimously.

- C 5. Request the Town Council approve the appointment of Keith R. Lauzon, (U) 49 Brookview Drive, Vernon, Connecticut, as a regular member of the Planning and Zoning Commission for a term commencing 07-22-2009 and ending on 12-31-2009, filing the vacancy created by the resignation of Ralph Zahner.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 1 & 6, AND CONNECTICUT GENERAL STATUTES SEC. 8-4a &b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF KEITH R. LAUZON (U), 49 BROOKVIEW DRIVE, VERNON, CONNECTICUT, TO ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM COMMENCING ON 07-22-2009 AND ENDING ON 12-31-2009.**

Council Member Motola, seconded by Council Member Thomas moved a motion to approve the Mayor's appointment of Keith R. Lauzon (U), 49 Brookview Drive, Vernon, Connecticut, to a regular member of the Planning and Zoning Commission for a term commencing on 7-22-2009 and ending on 12-31-2009. Motion carried.

Council member Motola requested motion correctly reflect the status of Regular member.

**APPROVED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 1 & 6, AND CONNECTICUT GENERAL STATUTES SEC. 8-4a &b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF KEITH R. LAUZON (U), 49 BROOKVIEW DRIVE, VERNON, CONNECTICUT, TO REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM COMMENCING ON 07-22-2009 AND ENDING ON 12-31-2009.**

Motion carried unanimously.

- C 6. Request the Town Council approve the Mayor Jason L. McCoy's appointments for Collector of Revenue and Director of Public Works.** (A copy of a memorandum from Mayor Jason L. McCoy to the Town Council members dated July 16, 2009 is included in the Council packet for review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL PURSUANT TO CHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 3 AND 4 OF THE VERNON TOWN CHARTER APPROVE THE MAYOR'S APPOINTMENTS OF MS. TERRY HJARNE, AS COLLECTOR OF REVENUE AND MR. ROBERT KLEINHANS, DIRECTOR OF PUBLIC WORKS, FOR THE TOWN OF VERNON.**

Council Member Motola, seconded by Council Member Thomas moved a motion to approve the Mayor's appointments of Terry Hjarne as Collector of revenue and Mr. Robert Kleinhans, Director of Public Works, for the Town of Vernon.

Council member Winkler moved to Divide the Question

Motion to Divide the Question failed.

Discussion took place.

Council member Herold moved a motion to approve pursuant to Chapter X, Section 3 and Chapter XI, Section 4 of the Vernon Town Charter the Mayor's appointment of Terry Hjarne as Collector of Revenue because of experience and certifications.

Mayor Jason McCoy called the motion out of order.



Council member Campbell, seconded by Council member Thomas called to Move the Question.

Motion to Move the Question failed.

Council member Herbst, seconded by Council member Winkler moved a motion to request a Roll Call vote.

Meeting recessed for 5 minutes at 9:46 PM.

Meeting reconvened at 9:51 PM.

Council members present: Daniel Anderson, Bill Campbell, Bill Fox, Marie Herbst, Nancy E Herold, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Daniel Champagne, Michael A. Winkler and Harry Thomas.

Motion to request a Roll Call vote failed.

Mayor Jason L. McCoy called for a vote on the Main Motion.

Motion to approve the Main Motion failed.

- C 7. Request the Town Council authorize the re-designation of available funds in the Reserve for Capital and Non-Recurring Expenditures Account, transferring \$250,000.00 from the Phoenix Street Bridge Replacement to the Main Street Bridge Replacement Project.** (A copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator dated July 15, 2009 is included in the packet for your review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$250,000.00 FROM THE PHOENIX STREET BRIDGE REPLACEMENT TO THE MAIN STREET BRIDGE REPLACEMENT.**

Council Member Motola, seconded by Council Member Campbell moved a motion in accordance with Chapter XII, Section 9, of the Town Charter, determines that it is in the best interest of the Town to waive the bid procedure for entering into a contract with the contractor Fay, Spofford & Thorndike.

Terry McCarthy, Town Engineer spoke relative to previous funding and STP Funding for the reconstruction of Phoenix Street Bridge.

Discussion took place.

Motion carried unanimously.

- C 8. Request the Town Council authorize the utilization of the CCM Reverse Auction Program for a one year period.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 15, 2009 is included in the packet.)

**PROPOSED RESOLUTION:**

**THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE TRADITIONAL SEALED BID REQUIREMENTS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT AND SERVICES AND AUTHORIZES THE USE OF A SEALED BID REVERSE AUCTION PROGRAM ADMINISTERED BY THE CONNECTICUT CONFERENCE OF MUNICIPALITIES, LLC, FOR THE INITIAL DURATION OF TWELVE (12) MONTHS, FROM JULY 22, 2009 TO JULY 21, 2010; AND (2) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY AGREEMENT (S) TO THAT EFFECT.**

Council Member Motola, seconded by Council Member O'Shea moved a motion in accordance with Chapter XII, Section 9, of the Town Charter, that it is in the best interest of the Town to: (1) waive the traditional sealed bid requirements for the purchase of materials, supplies, equipment and services and authorizes the use of a sealed bid reverse auction program administered by the Connecticut Conference of Municipalities, LLC, for the initial duration of twelve (12) months, from July 22, 2009 to July 21, 2010; and (2) authorize the Town Administrator as the Mayor's designee to execute on behalf of the Town of Vernon any agreement (s) to the effect.

Discussion took place.

Council member Champagne left the table (10:03 PM)

Council member Champagne returned to the (10:05 PM)

Motion carried unanimously.

- C 9. Request the Town Council authorize the use of CRRA funding for a portion of the Optical Fiber Structure and authorize the Mayor to apply for a grant for same.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 20, 2009 is included for your review.)

**PROPOSED MOTION ONE:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$200,000 FROM THE CRRA SETTLEMENT PROCEEDS TO A DESIGNATION FOR OPTICAL FIBER INFRASTRUCTURE.**

Council Member Motola, seconded by Council Member Campbell moved a motion to authorize the re-designation of available funds in the Reserve for Capital and Non-Recurring Expenditures Account, transferring \$200,000.00 from the Connecticut resource recovery Authority (CRRA) Settlement proceeds to a designation for Optical Fiber Infrastructure.

Discussion took place.

Council member Herbst requested periodic reports as the project proceeds.

Motion carried unanimously.

**PROPOSED MOTION TWO:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR A BTOP GRANT ON BEHALF OF VERNON INDIVIDUALLY OR JOINTLY WITH PARTICIPATING NEIGHBORING MUNICIPALITIES PURSUANT TO THE AMERICAN REINVESTMENT AND RECOVERY ACT UTILIZING A MATCH OF \$200,000 FROM VERNON.**

Council Member Motola, seconded by Council Member Campbell moved a motion to authorize Mayor Jason L. McCoy for a BTOP Grant on behalf of Vernon individually or jointly with participating neighboring Municipalities pursuant to the American Reinvestment and Recovery Act utilizing a match from Vernon.

Council member Herold requested that the grant name be listed out.

**APPROVED MOTION TWO:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR A BROADBAND TECHNOLOGY OPPORTUNITY GRANT (BTOP) GRANT ON BEHALF OF VERNON INDIVIDUALLY OR JOINTLY WITH PARTICIPATING NEIGHBORING MUNICIPALITIES PURSUANT TO THE AMERICAN REINVESTMENT AND RECOVERY ACT UTILIZING A MATCH OF \$200,000 FROM VERNON.**

Motion carried. Council member Fox opposed.

**PROPOSED MOTION THREE:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AN INTRA-TOWN AGREEMENT TO ESTABLISH AND SHARE FIBER LINKAGES WITH OTHER MUNICIPALITIES.**

Council Member Motola, seconded by Council Member Herbst moved a motion to authorize Mayor Jason L. McCoy to enter into an Intra-Town Agreement to establish and share fiber linkages with other municipalities. Motion carried unanimously.

- C 10. Request the Town Council redesignate Capital and Non-recurring funds for the prepayment of leases.** (A copy of a memorandum from James M. Luddecke, Finance Officer to John D. Ward, Town Administrator dated July 15, 2009 and a memorandum from John D. Ward,

Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 19, 2009 are included in your packet.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$510,000.00 FROM THE INTERMODAL TRANSPORTATION CENTER LOCAL MATCH DESIGNATION; AND \$189,425.00 FROM THE 55 WEST MAIN STREET TOP FLOOR RENOVATION DESIGNATION AND \$1,872.95 FROM AVAILABLE FUNDS TO A DESIGNATION OF \$701,297.95 FOR THE PREPAYMENT OF LEASES.**

Council Member Motola, seconded by Council Member Champagne moved a motion to authorize the re-designation of available funds in the Reserve for capital and Non-Recurring Expenditures Account, transferring \$510,000.00 from the Intermodal Transportation Center Local Match Designation; and \$189,425.00 from the 55 West Main Street Top Floor Renovation Designation and \$1,872.95 from available funds to a designation of \$701,297.95 for the prepayment of leases.

Discussion was held.

Motion carried. Council member Winkler and Fox opposed.

Council member Winkler, seconded by Council member Schaefer moved to add the additional Agenda Item:

The Town Council pursuant to Chapter X, Section 3 and Chapter XI, Section 4 of the Vernon Town Charter the Mayor's appointment of Terry Hjarne as Collector of Revenue for the Town of Vernon.

Motion failed to meet required 2/3 vote to add an Additional Agenda Item.

Council member Thomas, seconded by Council member Herbst moved a motion to extend curfew to 10:45 PM. Motion carried unanimously.

**H.) INTRODUCTION OF ORDINANCES**

**I.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED**

**J.) DISCUSSION OF ADDITIONAL AGENDA ITEMS**

**K.) ADOPTION OF MINUTES**

**THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF JUNE 16, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.**

Council member Motola, seconded by Council member Thomas moved at motion to approve the minutes of June 16, 2009.

Council member Herbst requested page 5: New Business #1 – Correct date to indicate July 21, 2009. Requested discussion of Fiscal Status is added to the August 18, 2009 meeting.

Council member Campbell requested page 6 Item J.) Discussion of Additional Items state: "Informational Item #2: Council Member Campbell requested the longest, shortest and mean response times be added to future reports."

Council member Herold requested:

- Title should state Page 1 - "Regular Meeting".
- Page 1: Call to Order – Should List as "Mayor Jason L. McCoy".
- Requested entrances and exits of the meetings be noted in the minutes during the item for discussion.
- Check Consent Item #3, 7, 8 and move placement to New Business for discussion also determine if motion was unanimous consent on stated items.
- Page 5: F.) Pending Business: Members present should be stated upon the return from recess.

- Page 6 - Requested reports from the Police Department to include statistics but omit specific names not that they be brief.
- Page 6 – Adoption of Minutes - Change amendment of June 2, 2009 minutes adoption to indicate Council member Herold instead of Council member Herbst.

Amended/corrected minutes to be supplied at the August 18, 2009 meeting.

Council member Motola, seconded by Council member Champagne moved a Motion to enter Executive Session at 10:38 PM. Motion carried unanimously.

Council member Herbst left the meeting.

#### **L.) EXECUTIVE SESSION**

##### **SESSION ONE:**

**THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200(6) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING REAL ESTATE ACQUISITION AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR, JAMES LUDDECKE, FINANCE OFFICER AND TOWN ATTORNEY HAROLD CUMMINGS TO ATTEND.**

10:50 pm –Return to Public Session

Councilman Anderson made a request for the Minutes for the June 16, 2009 meeting to be amended to reflect that The Town Attorney was authorized to negotiate for 8 Ward Street along with 11 and 12 Ward Street (the minutes only reflect 11 and 12 Ward Street). Agreed.

##### **MOTION**

**THE TOWN COUNCIL HERBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ 75,000.00 TO THE CAPITAL IMPROVEMENT ACCOUNT FOR THE PURCHASE OF 8 WARD STREET**

**DA/ PS – Unanimous**

##### **MOTION**

**THE TOWN COUNCIL HERBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ 75,000.00 TO THE CAPITAL IMPROVEMENT ACCOUNT FOR THE PURCHASE OF 8 WARD STREET**

**DA/ PS – Unanimous**

##### **MOTION**

**THE TOWN COUNCIL HERBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ \$52,231.81 TO THE CAPITAL IMPROVEMTNS ACCOUNT FOR THE PURCHASE OF 11 WARD STREET**

**DA/PS - Unanimous**

##### **MOITION**

**THE TOWN COUNCIL HERBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ \$44,500 TO THE CAPITAL IMPROVEMENT ACCOUNT FOR THE PURCHASE OF 12 WARD STREET**

**DA/ HT – Unanimous**

##### **SESSION TWO:**

**THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200(6) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING REAL ESTATE TRANSACTIONS AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR, JAMES LUDDECKE, FINANCE OFFICE AND TOWN ATTORNEY HAROLD CUMMINGS TO ATTEND.**

**10:53- Motion to go into Executive Session BM/PS**

**11:05 – Return to Public Session**

**11:05 MOTION TO ADJOURN BM / BC – Unanimous**

**M.) INFORMATIONAL ITEMS**

1. Town Clerk Monthly Report for June, 2009 as submitted by Bernice Dixon, Town Clerk.
2. Ambulance Report for June, 2009 as submitted by Coordinator Jean Gauthier.
3. Monthly Senior Center reports for May and June 2009 from Penny Rand, Director
4. Monthly Building Department Activity Report for May 2009, from B. Peter Hobbs, Building Official.
5. Invitation to attend the 50<sup>th</sup> Anniversary Celebration of The Vernon Housing Authority on July 31, 2009.
6. Municipal Building Committee Minutes dated June 24, 2009, and Annual Inspection of Town Buildings Report, dated June 25, 2009.
7. Monthly Building Department Activity Report for June 2009, from B. Peter Hobbs, Building Official.
8. Invitation to the 10<sup>th</sup> Annual Connecticut Veterans Day Parade.
9. Funding issues related to the Bolton Lakes Sewer Project.